

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Sep 10, 2024**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jose Delrefugio Rodriguez

Case Number: 0980 1:24CR02021-MKD-1

Address of Offender: [REDACTED] Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Brian Morris, Chief U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Mary K. Dimke, U.S. District Judge

Date of Original Sentence: November 29, 2023

Original Offense: Distribution of Fentanyl, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 12 months;
TSR - 24 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: To be assigned

Date Supervision Commenced: January 11, 2024

Defense Attorney: To be assigned

Date Supervision Expires: January 10, 2026

PETITIONING THE COURT

To issue a summons.

On January 12, 2024, the supervised release conditions were reviewed and signed by Mr. Rodriguez acknowledging an understanding of his conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition #1:</u> You must not commit another federal, state or local crime.
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Supporting Evidence: Mr. Rodriguez is alleged to have violated his conditions of supervised release by being arrested and charged with case number 4A0432325, third degree malicious mischief - domestic violence (DV), in Yakima County, Washington, on June 27, 2024.

According to the Yakima Police Department Officer (YPDO) narrative report, case number 24Y019769, on June 27, 2024, YPDO responded to a report of a domestic incident at 1314 Browne Avenue #5 in the city of Yakima. Call comments indicated a male was refusing to leave the location.

Upon arrival in the area, YPDO contacted the reporting person (RP). She advised that her ex-boyfriend, Jose Rodriguez, had thrown her phone. YPDO was able to locate her phone across the alley from where she lives. The glass on the front and back of the phone was damaged and would likely need replacing.

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The RP said she was at her mother's house when Mr. Rodriguez started texting her. He was telling her he was in her residence with their son. YPDO asked if he had a key to the residence or if he lived there. The RP advised he did not live there and was not supposed to be there. The RP said he likely got in by climbing through the window, indicating the front door locked, but the window did not.

When the RP returned to her residence, she saw Mr. Rodriguez holding their son inside. An argument ensued, and Mr. Rodriguez began yelling at her. The RP's mother advised she believed Mr. Rodriguez was under the influence of alcohol because he was not making much sense. The RP told Mr. Rodriguez several times she was going to call 911. Once she finally did, she held the phone up to her ear, he ripped it out of her hands, went outside, and threw the phone across the alley. He then left the scene. The RP advised he left on foot, and the RP's mother saw him leave in a vehicle. YPDO arrived shortly after. Officers attempted to contact Mr. Rodriguez at his listed residence, but could not do so.

The RP believed he took the phone out of her hand to prevent her from talking with 911 about what had occurred. She advised they had broken up approximately 6 months prior. She stated this had happened a few times since then, and she had called the police.

YPDO gave the RP domestic violence resources. She refused to provide a written statement. She answered the DV lethality application which did not meet the criteria for speaking with an advocate. YPDO cleared from the scene.

The YPDO forwarded the following charges to the prosecutor for review: third degree malicious mischief DV, first degree trespassing DV, interfering with reporting DV, and exposing minor children to DV.

On August 8, 2024, Mr. Rodriguez appeared for his arraignment at the Yakima Municipal Courthouse and entered a plea of not guilty. The next hearing is scheduled for September 17, 2024, for a status conference.

2 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Rodriguez is alleged to have violated his conditions of supervised release by being arrested and charged with case number 4A0432325, first degree trespassing DV, in Yakima County, on June 27, 2024.

Please refer to the supporting evidence narrative found in Violation #1.

3 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Rodriguez is alleged to have violated his conditions of supervised release by being arrested and charged with case number 4A0432325, interfering with reporting DV, in Yakima County, on June 27, 2024.

Please refer to the supporting evidence narrative found in Violation #1.

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The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 9, 2024

s/Kyle Mowatt

Kyle Mowatt

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

9/10/2024

Date